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NOTIFICATION.

(LAW DEPARTMENT)

No. LAW 7 LCR 62, dated Bangalore, 9th January 1962.

Ordered that the accompanying Notification No. G.S.R 1407 dated the 16th November 1961, of the Ministry of Commerce and Industry, issuing the Khadi and Village Industries Commission (Contributory Provident Fund) (Second Amendment) Regulations, 1961, which has been published in the *Gazette of India*, Part II, Section 3, sub-section (i) dated the 25th November 1961 be republished in the *Mysore Gazette*, for general information.

By Order and in the name of the Governor of Mysore,

S SRIPADARAJ,
Under Secy. to Govt., L.D

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GOVERNMENT OF INDIA

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 16th November 1961.

G.S.R 1407.—In exercise of the powers conferred by section 27 of the Khadi and Village Industries Commission Act, 1956 (61 of 1956), the Commission hereby makes, with the previous sanction of the Central Government, the following regulations to amend the Khadi and Village Industries Commission (Contributory Provident Fund) Regulations, 1958, published with the notification of the Government of India in the Ministry of Commerce and Industry No. S O. 965 dated the 26th May, 1958, namely —

1. (1) These Regulations may be called the Khadi and Village Industries Commission (Contributory Provident Fund) (Second Amendment) Regulations, 1961.

(2) These Regulations shall be deemed to have come into force on the first day of April, 1961.

2. In the Khadi and Village Industries Commission (Contributory Provident Fund) Regulations, 1958, (hereinafter referred to as the said Regulations), for Regulations 7 & 8 and the headings thereto, the following headings and regulations shall be substituted, namely —

"7. **Types of Provident Fund** —Provident Fund subscription shall be—

(i) compulsory, and
(ii) voluntary.

8. **Conditions and Rates of compulsory Subscription.**—(1) The compulsory subscription shall be subscribed to the Fund monthly except during the period of suspension and leave without pay,

Provided that a subscriber on re-instatement, if the period passed under suspension is treated either as duty or leave with allowance, shall subscribe one-twelfth of the emoluments allowed for the period of suspension.

(2) The amount of compulsory subscription shall be one-twelfth of the subscriber's emoluments in a month which shall be calculated to the nearest Naya paise.

(3) A subscriber, who has withdrawn the amount of subscriptions and interest thereon under regulation 17, shall not subscribe to the Fund after such withdrawal unless and until he returns to duty.

8 (A) **Conditions and Rates of Voluntary ubscription.**—(1). A subscriber may, at his option subscribe monthly to the Fund any amount consisting of a sum of whole rupees, over and above the compulsory subscription

Provided that the total subscription including both the compulsory and voluntary shall not exceed the monthly emoluments to which the subscriber is entitled on the prescribed date.

Note (1) the prescribed date shall be—

(a) in the case of an employee who was a subscriber on the 31st March of the preceding year, the 31st March,

(b) in the case of an employee who has joined the Fund for the first time on any date subsequent to 31st March, the date of his joining the Fund

Provided that if the emoluments of the subscriber are of a fluctuating nature they shall be calculated in such manner as the Chief Executive Officer may direct

(2) In the case of a subscriber on leave with allowance on the prescribed date "emoluments" for the purpose of this regulation shall be the emoluments that he would be entitled to, had he been on duty at that date

(2) A subscriber shall intimate the fixation of the amount of his monthly voluntary subscription, if any, in each year in the following manner.—

(*a*) In the case of an employee who draws his own pay bills,—

(i) If he is already a subscriber on the 31st March of the preceding year, by showing the amount which he deducts in this behalf from the emoluments of the month of March of that year payable in April following, prominently in the Provident Fund Schedule with suitable remarks,

(ii) if he has become a subscriber from a date subsequent to 31st March, by the deduction which he makes in this behalf from his pay bill for the month during which he joins the Fund a prominent remark being given in the Provident Fund Schedule.

(*b*) In the case of an employee who does not draw his own pay bills,—

(i) if he is a subscriber on the 31st March of the preceding year, by a written communication to his drawing officer, before the end of February of that year

(ii) if he becomes a member from a date subsequent to 31st March, by a separate communication sent along with the application for membership to the Provident Fund.

(3) The subscriber shall subscribe at a constant monthly rate towards the voluntary portion of his Provident Fund, while on duty or on foreign service or on deputation or on leave other than leave on half average pay or leave without pay.

(4) The subscriber may change his rate of voluntary subscription or decide not to make voluntary subscription from the beginning of any financial year in the manner laid down in sub-regulation (2) above

Provided that omission to make due and timely intimation to discontinue voluntary subcription shall be deemed to constitute an election to subscribe at the current rate for the subsequent year

Provided further that if a subscriber is on duty and/or leave on average pay for a part of a month and leave on half average pay or leave without pay for the rest of that month, the amount of the voluntary subscription payable shall be proportionate to the number of days spent on duty and/or leave on average pay in the month rounded off to the next higher rupee.

(5) A subscriber who has under regulation 17 withdrawn the amount of subscription and interest thereon shall not subcribe to the Fund after the withdrawal unless and until he returns to duty "

3 For regulation 10 of the said Regulations, the following regulation shall be substituted, namely —

"10 (1) The Commission shall at the end of each year, that is, on the 31st March, make a contribution, to the account of each subscriber equal to the compulsory subscription paid by the subscriber as per regulation 8

Provided that in the case of temporary employees the contribution shall be of a provisional character only,

Provided further that if a subscriber quits service or dies during the year, proportionate contribution shall be credited to his account for the period between the close of

the preceding year or the date of his joining the Fund whichever is later and the date of the occurrence of the event.

(2) The amount of any contribution payable in respect of the period of foreign service, shall, unless it is recovered from the foreign employer, be recovered by the Commission from the subscriber.

(3) The amount of the contribution payable by the Commission shall be rounded off to the nearest naya paisa."

4 In regulation 11 of the said regulations,—

(i) for clause (iv) of sub-regulation (2), the following clause shall be substituted, namely .—

"(iv) the total amount of interest shall be rounded off to the nearest naya paisa

Provided that when the amount standing at the credit of the subscriber has become payable, intrest shall be credited under this sub-regulation only in respect of the period from the beginning of the current year or from the date of deposit, as the case may be, up to the end of the month preceding that in which payment is made, or upto the end of the sixth month after the end of the month in which such amount becomes payable, whichever of those periods be less

Provided further that where the Accounts Officer has intimated to that person or his agent a date on which he is prepared to make payment in cash, or has posted a cheque in payment to that person, interest shall be payable only up to the end of the month preceding the date so intimated or the date of posting the cheque, as the case may be",

(ii) sub-regulation (4) shall be omitted.

V. SUBRAMANIAN, Chief Executive Officer,

Khadi and Village Industries Commission.

[No 7(2)/61-KVE]

A. VISVANATH, Dy. Secy.